



RKH-001

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	
ROBERT K. HOOD	
Serial No.: 10/688,696	Art Unit: 3632
Filed: October 20, 2003	Examiner: Mr. Ramon Ramirez
For: DETACHABLE SWIMMING POOL SHADE AND SPORT MOUNTING	

**RESPONSE TO ELECTION/RESTRICTIONS REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on September 15, 2005, Applicant hereby provisionally elects, with traverse, the inventions set forth in invention set I, comprising "claims 6, 7 and 14-26 drawn to a mounting apparatus, classified in class 248, subclass 5128" for examination in the present application.

However, applicant respectfully traverses the restriction requirement because the elected claims of invention set I and the non-elected claims, identified as invention set II, comprising claims 9-13 are not distinct inventions. As the Examiner correctly notes, the inventions are indeed related as subcombinations. However they do not have separate utility. Again as the Examiner notes, the inventions claimed in claims 6, 7 and 14-26 are drawn to a mounting apparatus, the inventions claims in claims 9-13 are also drawn to a mounting apparatus for securing any type of pole member. Claims 9-13 are merely more restrictive in that they are limited to a mounting apparatus wherein the pole member comprises a shade. As such, there is no separate utility of one invention distinct from the other.

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Moreover, the claims are sufficiently related that a thorough and complete search for the mounting apparatus of invention set I would necessarily encompass a thorough and complete search for the non-elected invention set II.

Accordingly, it is respectfully requested that the election/restrictions requirement be withdrawn and that all claims recited herein be examined.


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Respectfully submitted,

ROBERT K. HOOD

Date: October 13, 2005

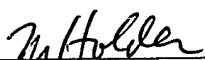
By:

  
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I hereby certify that this correspondence is being deposited this date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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